

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Bky. No. 04-30023

Mary Catherine Savat,

Debtor.

**FIRST MODIFIED CHAPTER 13 PLAN DATED  
MARCH 31, 2004**

**1. PAYMENTS BY DEBTOR—**

- a. As of the date of this plan, the debtor has paid the trustee \$400.00
- b. After the date of this plan, the debtor will pay the trustee \$200.00 per month for 58 months, beginning within 30 days after the filing of this plan for a total of \$12,000.00.
- c. The debtor will also pay the trustee NOT APPLICABLE.
- d. The debtor will pay the trustee a total of \$12,000.00 [line l(a) + line l(b) + line l(c)].

- 2. PAYMENTS BY TRUSTEE—**The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10 or such lesser percentage as may be fixed by the Attorney General (see paragraph 11, below). For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation

- 3. PRIORITY CLAIMS—**The trustee shall pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed. All payments listed in this class and all others are net of the Trustee's fee.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ 1500.00	\$	1	8	\$ 1,500.00
b. Internal Revenue Serv.	\$ 0	\$			\$
c. Minn. Dept of Revenue	\$ 0	\$			\$
d.	\$ 0	\$			\$
<b>TOTAL</b>	<u>0.00</u>				<u>\$ 1,500.00</u>

- 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT—**The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. PCFS (Home Mortgage)
- b. Ford Credit (2001 Ford Escort)

- 5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)]—**The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a.					
b.					
<b>TOTAL</b>					<u>\$0.00</u>

- 6. OTHER LONG TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)]—**The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number Of Payments	TOTAL PAYMENTS
a. None					
b.					
TOTAL					

**7. OTHER SECURED CLAIMS [§ 1325(a)(5)]**—The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a). All debts with co-debtors shall receive the contract rate of interest or the discount rate of 8% set forth above, whichever is greater, and shall be paid in full by the trustee. All co-debtors shall be under the protection of the automatic stay during the course of the debtor(s) bankruptcy.

Creditor	Claim Amount	Estimated Collateral Value	Monthly Payments	Beginning in Month #	Number of Payments	ESTIMATED TOTAL PAYMENTS
a. None						
b.						
TOTAL						

**8. SEPARATE CLASS OF UNSECURED CREDITORS**—In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows:

- The debtor estimates that the total claims in this class are \$ 0.00.
- The trustee will pay this class \$ 0.00.

**9. TIMELY FILED UNSECURED CREDITORS**—The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 0.00 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$0.00
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$59,033.00
- Total estimated unsecured claims are \$0.00.

**10. TARDILY-FILED UNSECURED CREDITORS**—No tardily filed claims shall be allowed or paid for by the Trustee.

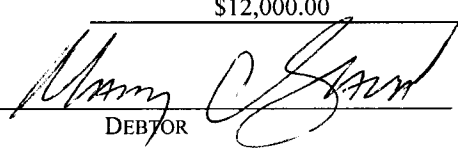
**11. OTHER PROVISIONS**— Payments under the plan assume that the Trustee's Actual fees will not exceed an average of 6% throughout the length of the plan. The Trustee may distribute funds not allocated above at his discretion under the terms of the Bankruptcy Code. The Debtor will file any and all post-petition federal tax returns and will timely pay all post-petition federal tax liabilities.

## 12. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2].....	\$720.00
Priority Claims [Line 3(e)].....	\$1,500.00
Home Mortgage Defaults [Line 5(d)].....	\$0.00
Long-Term Debt Defaults [Line 6d ].....	\$0.00
Other Secured Claims [Line 7(d)].....	\$0.00
Separate Class [Line 8(b)].....	\$0.00
Unsecured Creditors [Line 9(c)].....	\$9,780.00
<b>TOTAL [must equal Line 1(d)].....</b>	<b>\$12,000.00</b>

### ATTORNEY FOR DEBTORS:

Kenneth Corey-Edstrom  
Larkin Hoffman Daly & Lindgren Ltd.  
7900 Xerxes Ave S Ste 1500  
Minneapolis, MN 55431  
Attorney No. 148696  
923991.1

Signed:   
DEBTOR

Signed: \_\_\_\_\_  
DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

Bankruptcy No. 04-30023  
Chapter 13

In Re:

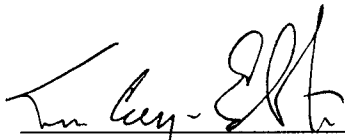
Mary Catherine Savat,  
  
Debtor.

**NOTICE OF FIRST MODIFICATION OF CHAPTER 13 PLAN  
PURSUANT TO BANKRUPTCY RULE 3015-2**

NOTICE HEREBY IS GIVEN pursuant to Rule 3015-2 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") that the Chapter 13 Plan for the above-named debtor has been modified.

NOTICE IS FURTHER GIVEN that the confirmation hearing on this Modified Chapter 13 Plan will be held on April 8, 2004 at 10:30 a.m. at the U.S. Bankruptcy Court, Room 228A, 316 North Robert Street, St. Paul, MN 55101.

Dated: April 1, 2004



Kenneth Corey-Edstrom (#148696)  
LARKIN HOFFMAN DALY & LINDGREN LTD.  
1500 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431-1194  
(952) 835-3800

Attorneys for Mary Catherine Savat

## UNSWORN CERTIFICATE OF SERVICE

Under penalty of perjury, I declare that on April 2, 2004, I served the following document(s):

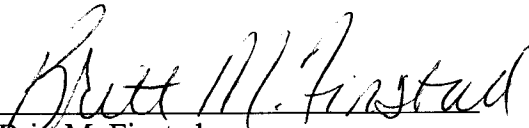
Re: Mary Catherine Savat – Chapter 13 Bankruptcy - Bky. No. 04-30023

1. Notice of First Modified Chapter 13 Plan;
2. Modified Chapter 13 Plan;
3. Signature Declaration of Mary Savat, and
4. Proof of Service.

via first class mail by enclosing a copy thereof in an envelope, postage prepaid, and by depositing the same in the post office at Bloomington, Minnesota, to each party entitled to notice at the address(es) listed below.

Jasmine Keller, Esq. Chapter 13 Trustee 12 South 6th Street, #310 Minneapolis, MN 55402	US Trustee 1015 US Courthouse 300 South 4th Street Minneapolis, MN 55415
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AND TO: All Creditors and Other Interested Parties

  
Britt M. Finstad

ATT Universal  
P.O. Box 8209  
South Hackensack, NJ 07606-8709

Choice Visa  
P.O. Box 6406  
The Lakes, NV 88901-6406

Citywide Insulation  
P.O. Box 298  
Shakopee, MN 55379

Design Mirror Glass Co.  
3148 County Drive  
Little Canada, MN 55117

Discover  
P.O. Box 15251  
Wilmington, DE 19886-5251

Ford Credit  
CO Correspondence  
P.O. Box 64400  
Colorado Springs, CO 80962-4400

Household Bank  
P.O. Box 4153-K  
Carol Stream, IL 60197

Innovative Surfaces  
P.O. Box 216  
Hastings, MN 55033

IRS  
Stop 5700  
316 North Robert Street  
Saint Paul, MN 55101

Minnesota Dept. of Revenue  
P.O. Box 64651  
Saint Paul, MN 55164

PCFS  
4221 International Parkway 15  
Atlanta, GA 30354

Robbs Electric Inc.  
P.O. Box 310  
Carver, MN 55315

Roberts Essieleanera  
2935 Minnehaha Curve  
Wayzata, MN 55391

David Shulman  
1005 West Franklin  
Suite 3  
Minneapolis, MN 55405

Super America  
P.O. Box 740587  
Cincinnati, OH 45274-0587

Todd Truman  
Creative Counters  
6110 Hodgson Road  
Circle Pines, MN 55014

US Bank  
Attn: Cardmember Service  
P.O. Box 6352  
Fargo, ND 58125-6352

US Bank  
P.O. Box 790408  
Saint Louis, MO 63179

USA Hockey  
P.O. Box 8650  
Wilmington, DE 19899-8650

Walmart  
P.O. Box 960023  
Orlando, FL 32896-0023

Sherman Acquisition  
Resurgent Capital Services  
P.O. Box 10587  
Greenville, SC 29603-0587

General Electric/Wal-Mart Flip  
c/o Ecast Settlement Corp.  
P.O. Box 35480  
Newark, NJ 07193-5480

General Electric Private Label  
c/o Ecast Settlement Corp.  
P.O. Box 35840  
Newark, NJ 07193-5480

Dakota County Sheriff  
Dakota County Courthouse  
Hastings, MN 55033

Ecast Settlement Corp. Assignee of GE  
Private Label WSRG Casual Corner  
P.O. Box 35480  
Newark, NJ 07193-5480

931637.1

HFC  
Attn: Payment Processing  
1301 East Tower Road  
Schaumburg, IL 60173

Household Industrial Finance Co.  
P.O. Box 2370  
Chesapeake, VA 23327-2370

Robb's Electric Inc.  
c/o Huber Law Office  
1107 Hazeltine Blvd. S496  
Chaska, MN 55318

Speedway Superamerica LLS  
Attn: Credit Card Center  
P.O. Box 1590  
Springfield, OH 45501-1590

Discover Financial Services  
P.O. Box 8003  
Hilliard, OH 43026

US Attorney  
600 US Courthouse  
300 South 4th Street  
Minneapolis, MN 55415

MN Dept. of Revenue  
Bankruptcy Section  
P.O. Box 64447  
St. Paul, MN 55164

State of Minnesota  
Dept. of Manpower Services  
390 North Robert Street  
St. Paul, MN 55101

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

Case No. 04-30023

Mary Catherine Savat,

**SIGNATURE DECLARATION**

Debtor(s).

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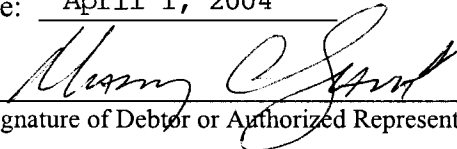
\_\_\_\_ PETITION, SCHEDULES & STATEMENTS  
\_\_\_\_ CHAPTER 13 PLAN  
\_\_\_\_ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
\_\_\_\_ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
  X   MODIFIED CHAPTER 13 PLAN  
\_\_\_\_ OTHER (Please describe: \_\_\_\_\_)

I, the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: April 1, 2004

×

  
Signature of Debtor or Authorized Representative

×

\_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Printed Name of Debtor or Authorized Representative

\_\_\_\_\_  
Printed Name of Joint Debtor

Form ERRS 1 (Rev. 10/03)